

Attorney Docket No.: BIPR115639

**COMBINED DECLARATION AND POWER OF ATTORNEY
IN PATENT APPLICATION**

As a below-named inventor, I hereby declare that:

my residence, post office address and citizenship are as stated below next to my name;

I believe that I am an original, first and joint inventor of the subject matter that is claimed and for which patent is sought on the invention entitled **SAMPLING DEVICE WITH SNAP-OFF HEAD AND METHOD OF USE**, the specification of which is attached hereto.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(c), of any foreign application(s) for patent listed below and have also identified below, any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed: **NONE**

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(d), of any inventor's certificate listed below. I declare that, upon investigation, I am satisfied that to the best of my knowledge, when filing the application for the inventor's certificate I had the option to file an application for either a patent or an inventor's certificate as to the subject matter of the identified claim or claims forming the basis for the claim of priority: **NONE**

I hereby claim the benefit under Title 35, United States Code, Section 119(e), of any United States provisional application(s) listed below: **NONE**

I hereby claim the benefit under Title 35, United States Code, Section 120, of any United States application(s) or PCT international application(s) designating the United States listed below, and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56(a), which occurred between the filing date of the prior application and the national or PCT international filing date of this application: **NONE**

I hereby appoint the following attorneys and/or agents to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith: Bruce E. O'Connor, Reg. No. 24,849; Lee E. Johnson, Reg. No. 22,946; Gary S. Kindness, Reg. No. 22,178; James W. Anable, Reg. No. 26,827; James R. Uhler, Reg. No. 25,096; Jerald E. Nagas, Reg. No. 29,418; Dennis K. Shelton, Reg. No. 26,997; Jeffrey M. Sakol, Reg. No. 32,059; Ward Brown, Reg. No. 28,400; Robert J. Carlson, Reg.

09615185 071300

No. 35,472; Marcia S. Kellum, Reg. No. 34,358; Rodney C. Tullett, Reg. No. 34,034; Daiva K. Tautvydas, Reg. No. 36,077; Mary L. Cullis, Reg. No. 40,574; and the firm of Christensen O'Connor Johnson & Kindness^{LLC}. Address all telephone calls to Julie C. VanDerZanden at telephone No. 206.695.1733.

Address all correspondence to:

CHRISTENSEN O'CONNOR JOHNSON & KINDNESS^{LLC}
1420 Fifth Avenue
Suite 2800
Seattle, WA 98101-2347

I hereby further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of Inventor
N. Robert Ward, Jr.
Citizenship
U.S.
Residence
8123 232nd Street Southeast, Woodinville, WA 98072
Post Office Address
(Same as above)
Inventor's Signature
Date
July 13, 2000

Full Name of Inventor
Geoffrey S. Bright
Citizenship
U.S.
Residence
406 240th Street Southwest, Bothell, WA 98021
Post Office Address
(Same as above)
Inventor's Signature
Date
July 13, 2000

JCV:cig

Applicants: N. Robert Ward, Jr. and
Geoffrey S. Bright

Attorney Docket No. BIPR115639

Filed: Concurrently herewith

Title: SAMPLING DEVICE WITH SNAP-OFF HEAD AND METHOD OF USE

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
(37 C.F.R. §§ 1.9(F) AND 1.27(C)) - SMALL BUSINESS CONCERN**

I hereby declare that I am an official of the small business concern empowered to act on behalf of the concern identified below:

Name of Concern International BioProducts Incorporated

Address of Concern 21312 30th Avenue Southeast

Bothell, Washington, 98021

I hereby declare that the above-identified small business concern qualifies as a small business concern as defined in 13 C.F.R. §§ 121.3-18, and reproduced in 37 C.F.R. § 1.9(d), for purposes of paying reduced fees under 35 U.S.C. §§ 41(a) and (b) in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled SAMPLING DEVICE WITH SNAP-OFF HEAD AND METHOD OF USE by inventors N. Robert Ward, Jr. and Debra K. Cory, described in the specification filed herewith.

If the rights held by the above-identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 C.F.R. § 1.9(c) or by any concern which would not qualify as a small business concern under 37 C.F.R. § 1.9(d) or a nonprofit organization under 37 C.F.R. § 1.9(e). *NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities (37 C.F.R. § 1.27). NONE

LAW OFFICES OF
CHRISTENSEN O'CONNOR JOHNSON & KINDNESS^{LLC}
1420 Fifth Avenue
Suite 2800
Seattle, Washington 98101
(206) 682-8100

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 C.F.R. § 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that such willful, false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Name of Person Signing: N. Robert Ward Jr.

Title of Person Other Than Owner: President

Address of Person Signing: 21312 30th Avenue Southeast, Bothell, Washington 98021

Signature: 

Date: 7/12/00

JCV:jlj

WIPKUS639157

096133-071300